

MINUTES
LEGISLATIVE ISSUES COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 SOUTH IH-35, BOARD ROOM, AUSTIN, TX
AUGUST 16, 2012 – 8:45 AM

CALL TO ORDER. Committee Chair, James “Jim” Greer, P.E., called the Legislative Issues Committee meeting to order at 8:51 am on August 16, 2012, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX 78741 (All votes are unanimous, unless otherwise noted).

1. Roll call and welcome visitors.

James “Jim” Greer, P.E.	Chair
Gary Raba, D.Eng., P.E.	Member
Elvira Reyna	Member
Edward Summers, Ph.D.	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, Jr., P.E., and Mr. Jose I. Guerra, P.E., Emeritus Board Members were present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
Dewey Helmcamp, III, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

Visitors. Faye Rencher, Sunset Advisory Commission; Joel Walraven, Sunset Advisory Commission; Steve Ogle, Sunset Advisory Commission; Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Peyton McKnight, American Council of Engineering Companies – Texas; Terry Sams, Texas Department of Transportation (TxDOT); Sam Kannappan, P.E., Board Member; Daniel Wong, Ph.D., P.E., Board Member; Bobby Balli, P.E., Board Member.

2. Public comment. None.

3. Discuss, review, and possibly act on the Legislative Committee Role and Responsibilities.

Mr. Greer reviewed the role and responsibilities of the Committee in accordance with §131.85. He added that the purpose of the Committee was not to lobby but to provide counsel and information to anyone seeking input on issues both at the Committee and Board level. It is important for the Committee to meet to keep the Board informed of legislation that affects the agency mission.

Mr. Kinney added that the Committee is scheduled to meet right before pre-filing, and again when the session has started, and then the last meeting would be after the session ends. Mr. Kinney asked the Committee how they would like to receive updates. Mr. Greer suggested periodic updates as

legislation is introduced, or of issues that may be important heading into the session, giving Committee members a heads-up as needed. He also asked staff to notify the Committee any time they needed their assistance, support, or guidance. Dr. Raba expressed that the updates from the tracking software was informative. He added that he would like to discuss any items that Mr. Kinney believes may require the Committee's input. Mrs. Reyna suggested more communication with Legislators. Ms. Mohan did comment that state resources cannot be used in to lobby state Legislators. Board members can communicate to Legislators as resources but must be careful not to cross the line into lobbying. Ms. Mohan will do more research on this matter and bring back to the next meeting. Mrs. Reyna shared that as a former legislator, it was always appreciated when staff from state agencies introduced themselves. Dr. Raba added that working with the trade associations worked well last legislative session, and would like to see this again this year.

In response to a question about whether the committee could meet by phone if an urgent issue arose, Ms. Mohan commented that conference or video conference call meetings could be problematic due to statutory requirements and restrictions. Ms. Mohan was asked to research the possibility of the Committee having conference call meetings.

4. Report on Legislative Issues.

Mr. Kinney reported that there are no issues moving forward at this time. He gave the following updates from the last legislative session regarding the Engineer/Architect overlap: HB2284-all aspects of the bill are in place; good working relationship with TBAE; TBAE has gone through the excepted engineer process and finished that out; joint outreach has been held with TBAE; Task Force contemplated by the bill was formed, and has initially met in San Antonio to discuss minor issues of implementation. Everyone is working together. Another Task Force meeting is scheduled in September 25. Dr. Raba added that it was a very good meeting. Windstorm legislation also came out of the 82nd Legislative Special Session in the form of House Bill 3. All of TBPE requirements are in place, and the roster is on our website. TDI modified a rule regarding Windstorm requirements, basically stating that they must be on the roster to qualify as a windstorm inspector. Sunset review also came from the 82nd Legislative Session, and staff members from the Sunset Advisory Commission are present. Ms. Pipho will have additional information on where we are in the Sunset process. Regarding structural engineering, staff has been contacted about this subject, and will have additional information at the next meeting. Mr. Kinney added that a calendar of the 83rd Legislative Session is included as a reference.

5. The 8th Annual Legislative Communication Conference.

Mr. Kinney commented that everyone is invited to attend the Legislative Conference, October 16th. The conference is very informative. Legislators share their insights on upcoming issues, and how to best communicate with them.

6. Update on Sunset Review.

Ms. Pipho reported that Sunset staff was present at the meeting, and asked the Committee members to introduce themselves to the team if they hadn't already. She expressed that it was good to have Sunset present at the agency and that it is nice to have a fresh set of eyes looking at everything we do and it's been very productive. She added that staff has been very busy in providing a lot of data being requested and doing a great job. The initial draft of the Sunset Staff Report is tentatively being sent to the Board on September 21st. Staff will have a week to review it and provide feedback. The report is

tentatively scheduled to be published in October with the initial hearings in November 13-14, with final hearings in December. Ms. Pipho added that the hearing will include SDSI.

7. Issues for future consideration and schedule next committee meeting.

ADJOURN.

It was MOVED/SECONDED (Reyan/Summers) to adjourn the meeting at 9:09 am.

Date approved by Committee as submitted:

November 29, 2012

Date accepted by Board:

November 29, 2012